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OFFICE OF PETITIONS

In re Application of :
Mark Andrew Dinan, et al. :
Application No. 10/022,795 : **DECISION ON PETITION**
Filed: December 20, 2001 :
Attorney Docket No. NUM 07.01 :

This is a decision on the petition under 37 CFR 1.137(a), filed October 6, 2009, which is being treated as a petition under 37 CFR 1.181, requesting withdrawal of the Notice of Abandonment mailed August 18, 2009.

The petition is **GRANTED**.

Petitioner requests the Notice of Abandonment mailed August 18, 2009 for failure to respond to the Notice Requiring Excess Claims Fees be withdrawn as petitioner timely filed a response. As evidenced by the itemized copy of the EFS Acknowledgement Receipt and the Fee Worksheet of September 30, 2008, the fee was timely received by the USPTO. Furthermore, a review of the record indicated that the original copy of the fee transmittal is now in the file.

Since the petition under 37 CFR 1.137(a) is deemed unnecessary, this \$270 fee will be refunded to the petitioner's deposit account in due course.

Telephone inquiries concerning this decision should be directed to April M. Wise at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

This application is being referred to the Technology Center AU 2457 for appropriate action in the normal courts of business.

/dab/
David Bucci
Petitions Examiner
Office of Petitions